

EXHIBIT 5

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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WAYMO LLC,

Plaintiff,

vs.

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;

OTTOMOTTO LLC; OTTO TRUCKING,

INC.,

Defendants.

/

WAYMO & UBER CONFIDENTIAL ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF CAMERON POETZSCHER

SAN FRANCISCO, CALIFORNIA

MONDAY, JUNE 19, 2017

BY: ANDREA M. IGNACIO,
CSR, RPR, CRR, CCRR, CLR
CSR LICENSE NO. 9830
JOB NO. 2642012

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Videotaped Deposition of Cameron Poetzsch,
taken on behalf of the Plaintiffs, on June 19,
2017, at Quinn, Emanuel, Urquhart & Sullivan, LLP,
50 California Street, 22nd Floor, San Francisco,
California 94111, beginning 8:59 a.m., and
commencing at 5:17 p.m., Pursuant to Notice, and
before me, ANDREA M. IGNACIO, CSR, RPR, CRR,
CLR ~ License No. 9830.

1 A P P E A R A N C E S :

2
3
4 FOR THE PLAINTIFFS:

5 QUINN EMANUEL URQUHART & SULLIVAN LLP

6 By: ANDREA ROBERTS, Esq.

7 JORDAN R. JAFFE, Esq.

8 50 California Street, Suite 2200

9 San Francisco, California 94111

10 Phone: 415.875.6600

11 andrearoberts@quinnemanuel.com
12
13

14 THE DEFENDANTS UBER TECHNOLOGIES INC.:

15 MORRISON & FOERSTER LLP

16 By: MICHAEL A. JACOBS, Esq.

17 425 Market Street

18 San Francisco, California 94105

19 Phone: 415.268.7455

20 mjacobs@mofo.com
21
22
23
24
25

1 A P P E A R A N C E S: (Cont.)

2
3
4 THE DEFENDANTS OTTO TRUCKING, INC.:

5 GOODWIN & PROCTER LLP

6 By: HAYES HYDE, Esq.

7 Three Embarcadero Center, 28th Floor

8 San Francisco, California 941111

9 Phone: 415.733.6000

10 hhyde@goodwinlaw.com

11
12
13 ALSO PRESENT: Cyril Suszckiewicz, Videographer

14 Justin Suhr, Uber

1 sense to us, were too easy, weren't aligned with our 15:44
2 interests. 15:44
3 You know, for any number of reasons; right? 15:44
4 If we didn't like the terms or conditions, we wouldn't 15:44
5 have signed, same as any other deal. 15:44
6 Q The term sheet was signed on February 22nd, 15:44
7 2016, and the acquisition agreement was signed on 15:45
8 April 11th, 2016. 15:45
9 When did Uber decide that it was going to go 15:45
10 ahead with the transaction? 15:45
11 A I mean, on or about April 11th we got final 15:45
12 board approval. Obviously, we didn't do all this work 15:45
13 and make a last-minute, you know, flippant decision. 15:45
14 But clearly, we made a final decision on or about 15:45
15 April 11th. We got board approval, and we signed the 15:45
16 transaction. 15:45
17 Q How long did it take to get board approval? 15:45
18 A I mean, we had a board meeting. We had a 15:45
19 discussion at the -- with the board. I can't recall 15:45
20 how long it was. It was a serious discussion. And 15:45
21 then after that, we signed. I don't remember the 15:45
22 exact day of the board meeting, whether it's the same 15:45
23 day or previously. 15:45
24 Q Did you attend that board meeting? 15:45
25 A Yes. 15:45